

CLASSIFICATION OFFICE DECISION

Title of publication: IMG_6335

Other known title(s): Not stated

OFLC ref: 1900176.005

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: English

Applicant: Commissioner of Police

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 26 July 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 26 July 2019

Summary of reasons for decision:

The file is a CGI image depicting a man performing a sexual act on a young boy who is bound and gagged. It is deemed to be objectionable because it promotes and supports the exploitation of children for sexual purposes, and the use of violence or coercion to compel any person to participate in, or submit to, sexual conduct. The image is clearly intended for the arousal of those with a sexual interest in sexually violent images involving children. The availability of such material encourages the creation or reinforcement of this sexual interest. This image could also be used to groom children for sexual exploitation. The objectionable classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications which fall under s3(2) of the Films, Videos, and Publications Classification Act 1993 be banned and also reflects the concern of a free and democratic society to protect its young and vulnerable members from such exploitation.